

M/S

Home Dept

1953

Memo 94377Ch II/53

D/ 21-5-53



Home Department

Memorandum No.94377-Cts.II/53-2, dated the 21st May 1953/.

Sub:- COURT FEES ACT, 1870 - Petitions presented to Government and transferred to lower authorities for disposal etc - Levy of Court fee - Instructions - Clarification.

Ref:- Memo No.130133-Cts.II/51-6, Home, dated 23-12-1952.

In continuation of the memorandum cited, the Chief Engr.(Irrigation /
(Highways) Madras is informed that petitions received direct by any officer of the Public Works Department cannot be brought under Article 1(C) of the Second Schedule to the Court Fees Act, 1870 but only those presented to officers who are chief officers charged with the executive administration of at least a division.

V.Hammanta Rao,
Joint Secretary to Government.

To
The Chief Engineer Highways, Madras.
The Chief Engineer, (Irrigation) Madras.
The Public Works Department.

Copy to Mysore Govt. /Forwarded/By Order/

KN.22/5.

Hammanta Rao
Superintendent.
ML

Extract of notes from file C.No.57711 Cts.II/53 re:

Sub:- COURT FEES - Petitions presented to Government and transferred to lower authorities for disposal - Levy of court fees - Instructions.

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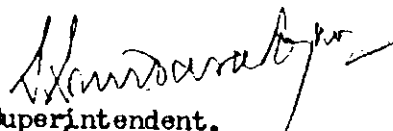
Legal Department

"Incidentally one misconception which seems to have crept in the memo.at page 19 c.f. of Home Dept.Memo No.130133 Cts.II/51-6, dated 23-12-1952 must also be cleared. It reads "petitions received direct by officers of the department" are chargeable under Article 1(c). Petitions presented to any officer of the P.W.D. cannot be brought under Article 1(c) but only those presented to officers who are Chief officers charged with the executive administration of at least a division. In fact as the Article stands it seems concerned with Executive and Revenue Officers and the utmost we can do is to stretch the meaning a little and say that officers of P.W.D. are also Executive Officers. But they should be officers of at least a division before petitions presented to them become chargeable under article 1(c).

A.A. /4-4-53.

~~130133~~

(True extract)


Superintendent.